



GATES FIRE DISTRICT



2355 Chili Avenue, Rochester, New York 14624

Phone: 585-426-2720 Fax: 585-426-7444

www.gatesfd.org

Serving Territory in the Towns of Gates and Chili, N.Y.

**Gates Fire District
Board of Fire Commissioners
Regular Commission Meeting
Thursday, March 9, 2023
6:30 PM**

UNAPPROVED MINUTES

Attendance

Louis Comenale, Jr., Chairman
Daniel Cox, Vice Chairman
James Werth, Commissioner
David DiCaro, Commissioner
Alan R. Bubel, District Fire Chief
Timothy D. Goole, District Assistant Fire Chief
Brittany Gould, Treasurer
Julie Spencer, Deputy District Treasurer
Donna Capone, District Secretary
Mark C. Butler, Esq., Legal Counsel

Guests

**See attached sign in sheet

Absent

David Hancock, Commissioner-Excused
Mark C. Butler, Esq., Legal Counsel-Excused

Chairman Cox called the Regular Commission Meeting of the Gates Fire District to order at 6:30 p.m.

Pledge of Allegiance was led by Commissioner Comenale.

Chairman Cox identified all the emergency exits within the building.

**Guests-would any of the guests like to address the Board at this time?
(Please state your name and address)**

Claudio Manuse addressed the Board.

Approval of Prior Meeting Minutes:

Motion to approve the February 23rd, 2023, Commission Meeting Minutes made by Commissioner Comenale and seconded by Commissioner Werth. Commission polled: Commissioner Comenale-approved, Commissioner Werth-approved, Commissioner Hancock-excused, Commissioner DiCaro-approved, Commissioner Cox-approved.

Treasurer's Report – presented by Brittany Gould:

Treasurer's Report presented.

Motion to approve the Treasurer's Report as February 28th, 2023, made by Commissioner DiCaro and seconded by Commissioner Werth. Commission polled: Commissioner Comenale-approved, Commissioner Werth-approved, Commissioner Hancock-excused, Commissioner DiCaro-approved, Commissioner Cox-approved.

Monthly Check List Report presented.

Motion to approve the Monthly Check List Report made by Commissioner Comenale and seconded by Commissioner Werth. Commission polled: Commissioner Comenale-approved, Commissioner Werth-approved, Commissioner Hancock-excused, Commissioner DiCaro-approved, Commissioner Cox-approved.

Profit and Loss Report presented.

Motion to approve the Profit and Loss Report made by Commissioner Comenale and seconded by Commissioner Werth. Commission polled: Commissioner Comenale-approved, Commissioner Werth-approved, Commissioner Hancock-excused, Commissioner DiCaro-approved, Commissioner Cox-approved.

Accounts Payable Report: Bills to be paid since the last meeting in the total amount of \$98,896.40 were presented by the Treasurer and were audited by the Board of Fire Commissioners. All Commissioners in attendance signed the attachment to the Treasurer's Office list of vouchers approved to be paid.

Motion and Resolution to approve the Accounts Payable Report for the March 9th, 2023, bills and ordering the Treasurer to pay such audited and approved vouchers in the amount of \$98,896.40 made by Commissioner Comenale and seconded by Commissioner DiCaro. Commission polled: Commissioner Comenale-approved, Commissioner Werth-approved, Commissioner Hancock-excused, Commissioner DiCaro-approved, Commissioner Cox-approved.

Reserve Transfers-Treasurer seeks the Boards approval to transfer \$100,000.00 from the General Fund to the Capital Reserve Fund and \$50,000 from the General Fund to the Fire Communications Reserve Fund.

Motion to approve the transfer of funds from the General Fund to the Capital Reserve Fund in the amount of \$100,000.00 and transfer \$50,000.00 from the General Fund to the Fire Communications Reserve Fund made by Commissioner Werth and seconded by Commissioner Comenale. Commission polled: Commissioner Comenale-approved, Commissioner Werth-approved, Commissioner Hancock-excused, Commissioner DiCaro-approved, Commissioner Cox-approved.

Seek approval to transfer funds in the amount of \$10,250.00 into the Repair Reserve 6-D account. This was encumbered funds from last year, this is the second and last payment.

Motion to approve the transfer of \$10,250.00 from the General Fund into the Repair Reserve 6-D account made by Commissioner Comenale and seconded by Commissioner DiCaro. Commission polled: Commissioner Comenale-approved, Commissioner Werth-approved, Commissioner Hancock-excused, Commissioner DiCaro-approved, Commissioner Cox-approved.

We received our Financial Statement from Stokes, Visca, Hucko and Barone, LLC (SVHB), copies were provided to the Board. The Treasurer discussed.

District Secretary's Report –Donna Capone:

Assistant Chief Goole distributed Informational Bulletin 23-005 to all personnel regarding a Personnel Matter.

We received a thank you letter from the Board of Fire Commissioner and Chief Daniel Hatfield of the Hy-View Fire District No. 8 for our assistance during the Blizzard of 2022.

We received Fire District Affairs Bulletin from the Association of the Fire Districts of the State of New York.

Assistant Chief Goole distributed Informational Bulletin 23-007 to all personnel regarding Reassignment of Old 4567.

Assistant Chief Goole distributed Informational Bulletin 23-006 to all personnel regarding Apparatus Surplus.

We received a legal notice from the Chili Planning Board.

Chief Bubel distributed Informational Bulletin 23-008 to all personnel regarding Buffalo, NY Firefighter Jason Arno Funeral Detail.

Chief's Report – Alan R. Bubel:

February 2023-384 Calls for Service; with 1,079 members attending.

2 working fires-4180 Lyell Road on February 3rd, 2023, and 133 Gates Manor Drive on February 11th, 2023.

Buffalo Firefighter Jason Arno wake and funeral; vehicle usage; page set aside.

Motion to set a page aside in memory of Buffalo Firefighter Jason Arno made by Commissioner Werth and seconded by Commissioner Comenale. Commission polled: Commissioner Comenale-approved, Commissioner Werth-approved, Commissioner Hancock-excused, Commissioner DiCaro-approved, Commissioner Cox-approved.

This page set aside in Memory,
of Buffalo Firefighter Jason Arno

Motion to approve vehicle usage for the attendance of Buffalo Firefighter Jason Arno's funeral made by Commissioner Werth and seconded by Commissioner Comenale. Commission polled: Commissioner Comenale-approved, Commissioner Werth-approved, Commissioner Hancock-excused, Commissioner DiCaro-approved, Commissioner Cox-approved.

Monroe One BOCES EMS Interns have started their time with us. Three interns will be spending time with us doing ride time with our companies. The following dates have been scheduled: March 7th through March 10th, March 21st through March 24th, and May 2nd through May 5th. Thank you to the Commission for keeping that program going.

Step EMS Conference- expense authorization. 4522 Group 1 will be receiving the Johanna Award for the CPR save they had. Conference is being held at the Hilton in College Town at 7:30 a.m.

Motion to approve the expense authorization for 4522 Group 1 to attend the Step EMS Conference to receive the Johanna Award made by Commissioner Werth and seconded by Commissioner Comenale. Commission polled: Commissioner Comenale-approved, Commissioner Werth-approved, Commissioner Hancock-excused, Commissioner DiCaro-approved, Commissioner Cox-approved.

St. Patrick's Day Parade line up is at East Avenue and Meigs Street.

Probationary Firefighter Orientation Training will begin on Monday.

Recruit Firefighter Training Program begins March 27th at Station 2.

State Fire Mobilization and Mutual Aid Plan reimbursement claim. We had submitted the claim to the State for our deployment to Erie County back in December, however, those claims need to be sent to the Hy-view Fire Department and Bellevue Fire Departments. We are in the process of figuring the accounting for the costs associated staying at each of the departments.

Health and Safety Expenditures:

Permission to spend \$450 foam rollers for the Recruit Firefighter Training Program out of account 518-300. There are sufficient funds to cover the expense.

Motion to approve the purchase of foam rollers for the Recruit Firefighter Training Program in the amount of \$450.00 made by Commissioner Comenale and seconded by Commissioner Werth. Commission polled: Commissioner Comenale-approved, Commissioner Werth-approved, Commissioner Hancock-excused, Commissioner DiCaro-approved, Commissioner Cox-approved.

Request to purchase American flags for use on aerial apparatus-12'x18' foot would like to purchase two, one is a replacement that we borrowed from Brighton, 20'x30' flag total \$4,616.76 out of account 546-000, funds are sufficient.

Motion to approve the purchase of American flags at a cost of \$4,616.76 made by Commissioner Comenale and Commissioner Werth. Commissioner polled: Commissioner Comenale-approved, Commissioner Werth-approved, Commissioner Hancock-excused, Commissioner DiCaro-approved, Commissioner Cox-approved.

Community Risk Reduction Budget Request:

Request to purchase postcards for when we canvas a neighborhood after a residential working fire. The cost is \$325.00, they have sufficient funds.

Motion to approve the purchase of postcards at a cost of \$325.00 made by Commissioner Comenale and seconded by Commissioner Werth. Commission polled: Commissioner Comenale-approved, Commissioner Werth-approved, Commissioner Hancock-excused, Commissioner DiCaro-approved, Commissioner Cox-approved.

Gates Summer Camp Staff and Volunteer Openings-they are short staffed this year and looking for help.

World Autism Acceptance Day event-April 2nd 1:00 p.m.-4:00 p.m. at Memorial Park. We will be attending that event again this year.

Gates Conservation Board has an Earth Day Event at the Library on April 22nd from 10:00 a.m. until noon. We will have a fire truck attending the event.

Citizens Fire Academy to be held on April 29th.

BSA Camporee on April 29th at First Responders Park so they can obtain their fire safety badge.

GC3 Fundraiser at High School on May 11th.

Candlelight Vigil for Fallen Police Officers on May 13th at the Town Hall.

Out of Office tomorrow.

Two volunteer members in process, they are moving up from the Explorers. They had their first reading Tuesday night.

Assistant Chief's Report –Timothy D. Goole:
Surplus Request:

Request to surplus two recliners from Station 1, they have been replaced and have no value to the district.

Motion to approve the surplusing two recliners from Station 1 made by Commissioner Werth and seconded by Commissioner DiCaro. Commission polled: Commissioner Comenale-approved, Commissioner Werth-approved, Commissioner Hancock-excused, Commissioner DiCaro-approved, Commissioner Cox-approved.

Resolution 2023.3.9.1, see attached.

Resolution 2023.3.9.2, see attached.

Purchase Request:

Looking for permission to purchase the lights, sirens, and rear organizer to upfit the new 2023 Tahoe from East Coast Emergency Lighting at a cost of \$12,139.90. These are budgeted items and below the budgeted amount.

Motion to approve the purchase of lights, sirens, and rear organizer for the new 2023 Tahoe from East Coast Emergency Lighting at a cost of \$12,139.90 made by Commissioner Comenale and seconded by Commissioner Werth. Commission polled: Commissioner Comenale-approved, Commissioner Werth-approved, Commissioner Hancock-excused, Commissioner DiCaro-approved, Commissioner Cox-approved.

Chairman Cox's Report:

Request for Executive Session for Personnel Matters.

Vice Chairman Comenale's Report:

No Report

Commissioner Hancock's Report:

Excused

Commissioner Werth's Report:

Request to send Request for Proposals for Landscape Maintenance at all three Stations and the Administration Building. This was previously approved via email, looking for formal approval.

Motion to approve the putting out the Request for Proposals for Landscape Maintenance at all three Stations and the Administration Building made by Commissioner Werth and seconded by Commissioner Comenale. Commission polled: Commissioner Comenale-approved, Commissioner Werth-approved, Commissioner Hancock-excused, Commissioner DiCaro-approved, Commissioner Cox-approved.

Repair Station 1 roof-roof is leaking.

Station 1 walk in cooler, the compressor is blown the cost to repair is \$3,590.85, our preferred vendor Wolf Mechanical provided the quote.

Motion to approve the repair of Station 1's walk in cooler with Wolf Mechanical, at a cost of \$3,590.85 made by Commissioner Werth and seconded by Commissioner Comenale. Commission polled: Commissioner Comenale-approved, Commissioner Werth-approved, Commissioner Hancock-excused, Commissioner DiCaro-approved, Commissioner Cox-approved.

Updated provided on the Record Retention Grant. We are ready to send the documents for scanning.

Commissioner DiCaro's Report:

Three quotes were received for Station 1 roof recoating on the flat part of the roof, ranging in price from \$16,000.00 to \$30,000.00. Would like to go with Harvey Strassner, they are the lowest price at \$16,775.00.

Motion to approve having Harvey Strassner recoat the flat part of the roof at Station 1 at a cost of \$16,775.00 made by Commissioner DiCaro and seconded by Commissioner Werth. Commission polled: Commissioner Comenale-approved, Commissioner Werth-approved, Commissioner Hancock-excused, Commissioner DiCaro-approved, Commissioner Cox-approved.

Mark C. Butler, Esq.

Excused

Executive Session:

Motion made at 7:08 p.m. by Commissioner Comenale and seconded by Commissioner Cox to enter Executive Session for the purpose of discussion regarding *the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation and for potential litigation*. Roll Call Vote: Commissioner Comenale-approved, Commissioner Hancock-Excused, Commissioner Werth-approved, Commissioner DiCaro-approved, Commissioner Cox-approved.

A motion to exit Executive Session made by Commissioner Comenale and seconded by Commissioner Cox. Commission polled: Commissioner Comenale-approved, Commissioner Werth-approved, Commissioner Hancock-excused, Commissioner DiCaro-approved, Commissioner Cox-approved.

The Board exited Executive Session and returned to Open Session at 7:47 pm. **The Board took no action in Executive Session.**

Open Session:

Motion to approve sending an offer letter for the maintenance mechanic 1 full-time position made by Commissioner Werth and seconded by Commissioner Cox
Commission polled: Commissioner Comenale-approved, Commissioner Werth-approved, Commissioner Hancock-excused, Commissioner DiCaro-approved, Commissioner Cox-approved.

Motion to authorize Chairman of the Board to provide written responses to the recent grievances from the Union made by Commissioner Werth and seconded by Commissioner Comenale. Commission polled: Commissioner Comenale-approved, Commissioner Werth-approved, Commissioner Hancock-excused, Commissioner DiCaro-approved, Commissioner Cox-approved.

Adjournment:

Motion to adjourn the March 9th, 2023, Regular Commission Meeting at 7:51 p.m. made by Commissioner Comenale and seconded by Commissioner DiCaro. Commission polled: Commissioner Comenale-approved, Commissioner Werth-approved, Commissioner Hancock-excused, Commissioner DiCaro-approved, Commissioner Cox-approved.

Respectfully submitted,

Donna Capone
District Secretary



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RESOLUTION DECLARING CERTAIN FIRE APPARATUS SURPLUS PURSUANT TO TOWN LAW 176(23)

Resolution No. 2023.3.9.1

WHEREAS, the Gates Fire District (the "Fire District") previously acquired a certain 2012 E-One, Cyclone IIX, Fire Engine, with a 1,500 gallon per minute pump and 500-gallon water tank, equipped with emergency lights, sirens, and ground ladders VIN # 4EN6AAA8XC1007149 (the "Fire Apparatus") owned and operated by the Fire District for the purpose of fire suppression and for otherwise meeting the uses and purposes of the Fire District, and

WHEREAS, it is no longer necessary for the Fire District to retain such Fire Apparatus to achieve the objectives of the Fire District,

NOW, THEREFORE, BE IT

RESOLVED, that the Board of Fire Commissioners of the Gates Fire District, does hereby determine that the 2012 E-One, Cyclone IIX, Fire Engine, with a 1,500 gallon per minute pump and 500-gallon water tank, equipped with emergency lights, sirens, and ground ladders VIN # 4EN6AAA8XC1007149 (the "Fire Apparatus") owned and operated by the Fire District for the purpose of fire suppression and for otherwise meeting the uses and purposes of the Fire District is no longer necessary for any of its uses or purposes and hereby declares the Fire Apparatus to be surplus, subject to permissive referendum; and it is further

RESOLVED, that pursuant to certain preliminary valuations of the Fire Apparatus, that this Resolution maybe be subject to permissive referendum pursuant to the requirements of Town Law 176(23); and it is further

RESOLVED, that subject to the satisfaction of the requirements for a permissive referendum be approved declaring the Fire Apparatus surplus, that it be disposed of in a manner acceptable to the Board of Fire Commissioners as it may determine in its discretion including but not limited to advertised for bid, sold to the highest responsible bidder, with a minimum bid acceptable to the Board of Fire Commissioners, on an "as is, where is, how is" basis, or as the Board of Fire Commissioners may otherwise determine in its discretion; that the Board of Fire Commissioners shall reserve the right to reject any

and all bids submitted; and that the sale be made without warranty, representation or guarantee and upon such further terms or conditions as in the best interests of the Fire District as determined by the Board of Fire Commissioners, and it is further

RESOLVED, that this resolution is subject to a permissive referendum as provided by of Town Law Section 176(23) and Section 6-g of the General Municipal Law.

Commissioner Comenale moved, Commissioner Werth seconded, and the Board of Fire Commissioners voted as follows:

..... Name:	Voting: Aye or Nay:
Chairman Cox	Aye
Vice Chairman Comenale	Aye
Commissioner Hancock	Excused
Commissioner Werth	Aye
Commissioner DiCaro	Aye

The foregoing resolution was thereupon declared duly adopted and approved by the Board of Fire Commissioners.

March 9, 2022

Donna Capone, Secretary
Gates Fire District



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RESOLUTION DECLARING CERTAIN FIRE APPARATUS SURPLUS PURSUANT TO TOWN LAW 176(23)

Resolution No. 2023.3.9.2

WHEREAS, the Gates Fire District (the "Fire District") previously acquired a certain 2001 Saulsbury Freightliner Light Rescue equipped with emergency lights and sirens VIN # 1FVABPAL91HJ97791 (the "Fire Apparatus") owned and operated by the Fire District for the purpose of fire suppression and for otherwise meeting the uses and purposes of the Fire District, and

WHEREAS, it is no longer necessary for the Fire District to retain such Fire Apparatus to achieve the objectives of the Fire District,

NOW, THEREFORE, BE IT

RESOLVED, that the Board of Fire Commissioners of the Gates Fire District, does hereby determine that the 2001 Saulsbury Freightliner Light Rescue equipped with emergency lights and sirens VIN # 1FVABPAL91HJ97791 (the "Fire Apparatus") owned and operated by the Fire District for the purpose of fire suppression and for otherwise meeting the uses and purposes of the Fire District is no longer necessary for any of its uses or purposes and hereby declares the Fire Apparatus to be surplus, subject to permissive referendum; and it is further

RESOLVED, that pursuant to certain preliminary valuations of the Fire Apparatus, that this Resolution maybe be subject to permissive referendum pursuant to the requirements of Town Law 176(23); and it is further

RESOLVED, that subject to the satisfaction of the requirements for a permissive referendum be approved declaring the Fire Apparatus surplus, that it be disposed of in a manner acceptable to the Board of Fire Commissioners as it may determine in its discretion including but not limited to advertised for bid, sold to the highest responsible bidder, with a minimum bid acceptable to the Board of Fire Commissioners, on an "as is, where is, how is" basis, or as the Board of Fire Commissioners may otherwise determine in its discretion; that the Board of Fire Commissioners shall reserve the right to reject any and all bids submitted; and that the sale be made without warranty, representation or guarantee and upon such further terms or conditions as in the best interests of the Fire District as determined by the Board of Fire Commissioners, and it is further

RESOLVED, that this resolution is subject to a permissive referendum as provided by of Town Law Section 176(23) and Section 6-g of the General Municipal Law.

Commissioner Comenale moved, Commissioner Werth seconded, and the Board of Fire Commissioners voted as follows:

..... Name:	Voting: Aye or Nay:
Chairman Cox	Aye
Vice Chairman Comenale	Aye
Commissioner Hancock	Excused
Commissioner Werth	Aye
Commissioner DiCaro	Aye

The foregoing resolution was thereupon declared duly adopted and approved by the Board of Fire Commissioners.

March 9, 2022

Donna Capone, Secretary
Gates Fire District